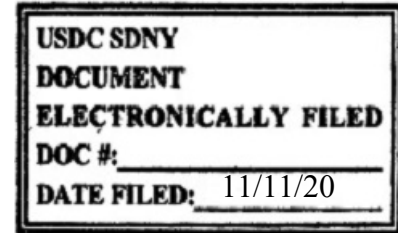


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November 10, 2020

VIA ECF

Magistrate Judge Barbara Moses
United States District Court
500 Pearl Street, Courtroom 20A
New York, New York

MEMO ENDORSED

Re: *Lawrence N. James v. Peter Zsolt Levai et al.*
Venue : US Dist. Court, Southern Dist. of NY
Index No. : 19-cv-5712
Our File No. : 31165.305

Dear Judge Moses:

Please allow the following to serve as the parties' joint request for an adjournment of the settlement conference scheduled for November 17, 2020.

The parties have been working together to complete the outstanding discovery issues that remained. Plaintiff had a recent back surgery over the summer, which the court is well aware. Recently, the parties have moved forward and completed plaintiff's further deposition and plaintiff has appeared for a medical examination with respect to that recent surgery. The parties are now working to complete a few further items, including post deposition discovery responses and the finalizing of expert reports and corresponding depositions.

In addition, over the past several weeks, defense counsel has lost communication with defendant Peter Zsolt Levai. We have sent an investigator to try and locate Mr. Levai.

Accordingly, the parties request an adjournment of the settlement conference to a date convenient with the court at the end of December 2020/first week of January 2021 whereby the parties should have all final outstanding issues resolved and be in position to have productive settlement negotiations.

Thank you for Your Honor's attention to this matter.

Very truly yours,

/s/ Kevin Zimmerman
LEWIS BRISBOIS BISGAARD & SMITH LLP

/s/ Douglas Milch
WINGATE, RUSSOTTI, SHAPIRO &
HALPERIN, LLP

Application GRANTED. The settlement conference currently scheduled for November 17, 2020, at 2:15 p.m. is ADJOURNED to **January 7, 2021, at 2:15 p.m.** No later than **December 31, 2020**, the parties shall submit the pre-conference statements required by ¶¶ 3-4 of the Court's Order Scheduling Settlement Conference dated January 17, 2020 (Dkt. No. 26) via email to chambers. The other provisions in the January 17 Order and the Court's Order dated June 17, 2020 (Dkt. No. 37) remain in effect. SO ORDERED.

A handwritten signature in blue ink, appearing to read 'Barbara Moses', is written over a horizontal line.

Barbara Moses, U.S.M.J.
November 11, 2020